

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JAMES LASTRA,

Plaintiff,

- against -

CITY OF NEW YORK, et al.,

Defendants.
-----X

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/28/2021**

16-CV-3088 (JGK) (RWL)

Order

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This order resolves the deposition issues raised at Dkts. 264 and 265.

1. Plaintiff may video-record and/or audio record depositions of the defendants using the virtual platform's means for doing so. Such recording may not be admissible as evidence in lieu of a properly certified recording or transcript.

2. Unless and until otherwise ordered by the Court, and without prejudice to making a future application if warranted by the circumstances, Plaintiff shall not disseminate any recording of the depositions to any third parties for any purpose other than counsel of record, a certified court reporter retained to transcribe the recording, and the Court for purposes of this case; Plaintiff shall not file any recording of the depositions on the public docket (but may file such material under seal if submitted in good faith for purposes of the case); and Plaintiff shall not use the deposition recording for any purpose other than this case.

3. While recording the depositions, Plaintiff shall use the "Spotlight" function or its equivalent, if there is one, on the virtual platform to focus the camera view on the witness for the entirety of the deposition.

4.Plaintiff must provide defense counsel with a copy of any recording made of a deposition within five days following the deposition.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: May 28, 2021
New York, New York

Copies transmitted this date to all parties of record via ECF.